

APPROVED MINUTES

KITTERY TOWN COUNCIL

December 8, 2014

COUNCIL CHAMBERS

1. Call to Order

Chairperson Thomson called the meeting to order at 7:00 P.M.

2. Introductory

Chairperson Thomson read the introductory.

3. Pledge of Allegiance

Chairperson Thomson led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Chairperson Jeffrey Thomson, Councilors Russell White, Frank Dennett, Chuck Denault, Jeffrey Pelletier and Ken Lemont.

5. Agenda Amendment and Adoption –

The agenda was accepted as presented.

6. Town Manager's Report –

Town Manager Puff indicated that they were exploring the possibility of extending dispatch services to Berwick and that the initial discussions had taken place.

Town Manager Puff noted that they had selected a consultant, Weston Sampson, to develop the master field plan.

Town Manager Puff stated that she had met with the regional planning agency and Commute Smart NH relative to the Shipyard traffic and projects and they were would be meeting on a regular basis.

Town Manager Puff indicated relative to the Bowen Road issue, that they were awaiting a response from the town attorney.

Town Manager Puff noted that the KCC had put on a Thanksgiving lunch for seniors and they had done an excellent job.

Town Manager Puff asked that residents be patient with snow plowing and sidewalk clearing. She continued that the town could not do anything about power outages.

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Town Manager Puff stated that Town Hall would be closing early on Christmas Eve and New Year's Eve.

Town Manager Puff indicated she had appointed Chris Matteo to the town planner position.

7. Acceptance of Previous Minutes –11/10/14 & 11/24/14
8. Interviews for the Board of Appeals and Planning Board –

Board of Appeals

- Vern Gardner

Vern Gardner came to the podium and stated that he had heard Council's plea for residents to volunteer for town boards, so he had come forward. He continued that he had previously been on the Board for 9 years.

COUNCILOR PELLETIER MOVED TO APPOINT VERN GARDNER TO THE BOARD OF APPEALS FOR A TERM ENDING 3/25/16, SECONDED BY CHAIRPERSON THOMSON FOR DISCUSSION.

Councilor Denault stated that he wanted to make sure that Mr. Gardner was able to serve because he had served almost three full prior terms. Chairperson Thomson indicated he thought it was okay because those terms were not fully complete. Councilor Dennett stated that he would be voting no based on the Town Charter.

A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT AND COUNCILOR DENAULT OPPOSED. MOTION PASSES 4/2.

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials – None

10. PUBLIC HEARINGS -

a. (120114-1) The Kittery Town Council moves to hold a public hearing and hereby ordains amendments to Title 16.10, 16.2, 16.3, 16.7, and 16.8 of the Kittery Town Code, as recommended by the Planning Board.

Chairperson Thomson noted that this public hearing was advertised in the local, printed media on 11/29/14.

Chairperson Thomson then opened the public hearing.

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Mary Thron came to the podium and encouraged Council to approve amendments to Title 16.7.35.10.

Chairperson Thomson then closed the public hearing. He noted that the amendments to Chapter 16.9 had been omitted from the public notification and would need to be scheduled for a public hearing.

COUNCILOR WHITE MOVED THAT THE KITTELY TOWN COUNCIL HEREBY ORDAINS AMENDMENTS TO TITLE 16.8.10.2(C), SECONDED BY COUNCILOR LEMONT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

Councilor Dennett indicated that the other amendments were complex and that he could not vote for them without further information. He continued he needed more time to review the documents and have additional dialogue with the Planning Board.

CHAIRPERSON THOMSON MOVED TO POSTPONE ACTION ON THE ADDITIONAL AMENDMENTS UNTIL JANUARY 26, 2015, SECONDED BY COUNCILOR DENNETT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

CHAIRPERSON THOMSON MOVED TO SCHEDULE A PUBLIC HEARING ON THE OMITTED CHAPTER 16.9 AMENDMENTS, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

11. Discussion

a. Discussion by members of the public –

Dan Ford came to the podium and indicated that he had recently interviewed for the KPA after being on the waiting list for 8 years. He continued that he was denied due to his involvement with the Spruce Creek Association. Mr. Ford asked if the same criteria was used for all boards in town and asked if there was any ability for the denied applicant to address the board's decision. He continued that he thought that appointments should stop being made until the code was straightened out.

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Martha Peterson came to the podium and stated that she called into question the recent decision to appoint an applicant to the Planning Board over another applicant. She continued that she thought a person's experience and qualifications were more important than their place on the waiting list. Ms. Peterson indicated that Council clarify what the ordinance states about being on the waiting list having to do with being appointed.

Agnes Charlesworth came to the podium and stated that she also questioned the recent appointment to the Planning Board and requested that a Councilor ask to reconsider the vote.

b. Response to public comment directed at a particular Councilor

Councilor Pelletier indicated that he was disappointed that Mr. Ford cannot be appointed to the KPA. He continued that Mr. Ford was very qualified and wished that he had been given the chance to address the issues that were brought up. Councilor Pelletier stated that Council needed to give some thought to what happens to people that were denied appointments.

c. Chairperson's response to public comments

Chairperson Thomson stated that they would be holding a workshop on appointments on December 22nd and that more conversation was needed.

Chairperson Thomson responded relative to the Planning Board appointment, that the applicant pool had been empty for over a year and thought it was suspicious that someone else had come forward after another applicant applied.

12. UNFINISHED BUSINESS – None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition - None

b. (120114-2) The Kittery Town Council moves to extend the existence of the Economic Development Committee (EDC) past its current sunset date of 12/31/14, to a future date certain of December 31, 2015, prior to which Council will review the status of the EDC and its continued need.

George Dow came to the podium and stated that it was a great board and asked that Council extend its sunset date.

COUNCILOR WHITE MOVED TO EXTEND THE EXISTENCE OF THE ECONOMIC DEVELOPMENT COMMITTEE (EDC) PAST ITS CURRENT SUNSET DATE OF 12/31/14, TO A FUTURE DATE CERTAIN OF DECEMBER 31, 2015, PRIOR TO WHICH COUNCIL WILL REVIEW THE STATUS OF THE EDC AND ITS CONTINUED NEED, SECONDED BY COUNCILOR PELLETIER.

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A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

c. (120114-3) The Kittery Town Council moves to appoint Robert Harris to the Personnel Board until 6/13/17.

COUNCILOR PELLETIER MOVED TO APPOINT ROBERT HARRIS TO THE PERSONNEL BOARD UNTIL 6/13/17, EFFECTIVE 12/9/14, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR WHITE ABSTAINED. MOTION PASSES 5/0/1.

d. (120114-4) The Kittery Town Council moves to approve the disbursement warrants.

COUNCILOR PELLETIER MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY CHAIRPERSON THOMSON, WITH ALL IN FAVOR. MOTION PASSES 6/0.

e. (120114-5) The Kittery Town Council moves to appoint a representative to meet with a member of the Rice Library Board of Trustees to interview William Tredwell for his appointment to that board.

CHAIRPERSON THOMSON MOVED TO APPOINT COUNCILOR WHITE TO MEET WITH A MEMBER OF THE RICE LIBRARY BOARD OF TRUSTEES TO INTERVIEW WILLIAM TREDWELL FOR HIS APPOINTMENT TO THAT BOARD, SECONDED BY COUNCILOR DENAULT WITH ALL IN FAVOR. MOTION PASSES 6/0.

f. (120114-6) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Comprehensive Plan Committee to interview Tom Hibschan for his appointment to that board as a citizen representative until the Committee's work is done.

CHAIRPERSON THOMSON MOVED TO APPOINT, WITHOUT THE BENEFIT OF AN INTERVIEW, TOM HIBSCHMAN TO THE COMPREHENSIVE PLAN COMMITTEE AS A CITIZEN REPRESENTATIVE UNTIL THE COMMITTEE'S WORK IS DONE, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

g. (120114-7) The Kittery Town Council moves to appoint Paul Lucy to the Personnel Board until 11/30/16.

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COUNCILOR LEMONT MOVED TO APPOINT PAUL LUCY TO THE PERSONNEL BOARD UNTIL 11/30/16, EFFECTIVE 12/9/14, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

14. COUNCILOR ISSUE OR COMMENT

Councilor Dennett responded to Ms. Charlesworth's earlier request that the recent Planning Board appointment be reconsider, that it would be illegal to do so.

Councilor Denault indicated that he and Councilor Lemont would be meeting with Seacoast Helicopters the next morning.

Councilor Lemont stated that he had received a lot of calls about potholes and would forward those complaints to the manager.

Councilor White noted that Council might want to look at the Manson/Stevenson issue again at some point.

Councilor White asked if the town had a clear inventory on rights of way and parcels it owned and, if not, could that be established?

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chairperson Thomson stated that they would be holding a workshop on 12/15 on Council's goals and the school board budget goals.

Chairperson Thomson indicated he recommended that the town consider the "pay as you throw" concept.

Chairperson Thomson noted they would be holding a workshop on 12/22 on board appointments.

b. Committee Reports – None

16. EXECUTIVE SESSION – None

17. ADJOURNMENT

COUNCILOR PELLETIER MOVED TO ADJOURN, SECONDED BY COUNCILOR WHITE WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:23 P.M.